



the initial Complaint and, in view of its reliance on that affidavit in connection with this motion, is re-filing it for ease of reference.

**Request for Oral Argument**

Pursuant to Local Rule 7.1(d), KPMG Hong Kong respectfully requests oral argument on this motion.

Wherefore, KPMG Hong Kong respectfully requests that the Court dismiss the Amended Complaint as against it in its entirety.

Respectfully submitted,

**KPMG Hong Kong**

By its attorneys,

/s/ Steven W. Hansen  
Steven W. Hansen, BBO #220820  
steven.hansen@bingham.com  
Jeff Goldman, BBO #660870  
jeff.goldman@bingham.com  
Deana K. El-Mallawany, BBO #674825  
deana.el-mallawany@bingham.com

Geoffrey F. Aronow (*pro hac vice*)  
geoffrey.aronow@bingham.com  
2020 K Street NW  
Washington, DC 20016  
202.373.6000

**BINGHAM MCCUTCHEN LLP**  
*Attorneys for Defendant KPMG Hong Kong*  
*(Appearing Specially)*

Dated: October 12, 2012

**LOCAL RULE 7.1 CERTIFICATION**

I, Steven W. Hansen, certify pursuant to Local Rule 7.1 that on October 10, 2012, counsel for defendant KPMG Hong Kong conferred in good faith with counsel for Plaintiff but were unable to resolve or narrow the issues raised by this motion to dismiss.

/s/ Steven W. Hansen, BBO #220820

**CERTIFICATE OF SERVICE**

I hereby certify that this document was filed through the ECF system to be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and that paper copies will be sent to any person indicated on ECF as a non-registered participant on October 12, 2012.

/s/ Deana El-Mallawany, BBO #674825